## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:22-cv-00178-MR

| JOHN N. LOWERY,        |             |
|------------------------|-------------|
| Plaintiff,             |             |
| vs.                    | ORDER<br>)  |
| MICHAEL SHOOK, et al., |             |
| Defendants.            | )<br>)<br>) |

**THIS MATTER** is before the Court on its review of the docket in this matter.

Plaintiff John N. Lowery ("Plaintiff") filed this lawsuit on December 1, 2022. [Doc. 1]. On January 10, 2023, Plaintiff's Complaint survived initial review. [Doc. 10]. Defendants Snuffer and McGrady were served by summons on March 27, 2023, and April 14, 2023, respectively. Defendant Snuffer's answer was due on April 17, 2023, and Defendant McGrady's answer was due on May 5, 2023. [Doc. 24; 4/19/2023 Docket Entry].

To date, however, Defendants Snuffer and McGrady have not answered the Complaint or otherwise defended this action, and the Plaintiff has not taken any further action with respect to these Defendants. The Court, therefore, will order the Plaintiff to take action with respect to these Defendants so that this matter can proceed.

## <u>ORDER</u>

IT IS, THEREFORE, ORDERED that Plaintiff shall take further action to prosecute this case against Defendants Snuffer and McGrady within fourteen (14) days of this Order. Failure to take any such further action shall result in the dismissal of these Defendants without prejudice.

IT IS SO ORDERED.

Signed: June 5, 2023

Martin Reidinger

Chief United States District Judge